



Howard Friedman
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November 25, 2019

VIA EMAIL

T. McElwee
MuckRock
50152-84260780@requests.muckrock.com

DOE# F14,312

Purchase orders

Dear Mr. McElwee:

This letter is in final response to the above-referenced Freedom of Information Law (FOIL) request.

A search was conducted and records were located. Enclosed, please find records responsive to your request. Please be advised that the enclosed records were redacted pursuant to the following:

Public Officers Law ("POL") § 87(2)(a) permits an agency to deny access to records or portions thereof that are specifically exempted from disclosure by state or federal statute.

The Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and its implementing regulations, 34 C.F.R. Part 99 (together, FERPA), prohibit disclosure of personally identifiable information constituting or derived from education records, absent consent of the parent or eligible student, or the existence of a specifically enumerated exception in FERPA that would permit non-consensual disclosure. See 34 C.F.R. §99.3, §99.30 and §99.31. Accordingly, portions of records concerning students have been withheld on this basis and pursuant to POL § 87(2)(a).

Portions of records concerning students have also been redacted pursuant to POL § 87(2)(b), which permits an agency to deny access to records or portions thereof that if disclosed would constitute an unwarranted invasion of personal privacy under POL § 89(2). Portions of records constituting personal contact information of individuals listed throughout the enclosed records were also redacted on this basis.

Public Officers Law (POL) §87(2)(g) permits an agency to deny access to records or portions thereof that are inter-agency or intra-agency materials which are not statistical or factual tabulations or data, instructions to staff that affect the public, final agency policy or determinations, or certain external audits. Accordingly, access is denied to records and portions thereof constituting opinions, suggestions, recommendations, advice, ideas, plans, impressions, exhortations and other information not containing or constituting statistical or factual tabulations or data, instructions to staff that affect the public, or final agency policy or determinations.



POL § 87(2)(b) permits an agency to deny access to records or portions thereof that if disclosed would constitute an unwarranted invasion of personal privacy under POL § 89(2).

This concludes the FOIL Unit's response and your request will be marked as "closed" in the Unit's database as of the date of this letter.

Any person denied access to a record may appeal the decision in writing within thirty days. Please state a specific ground for appeal and include copies of the initial request and the denial. Appeals should be sent to: Howard Friedman, General Counsel, c/o Office of Legal Services, New York City Department of Education, 52 Chambers Street – Room 308, NY, NY 10007, FOIL@schools.nyc.gov.

Sincerely,

Milena Schatzle /s/

Milena Schatzle
Deputy Records Access Officer
FOIL@schools.nyc.gov